BILL NO. R-84-05-32

DECLARATORY RESOLUTION NO. R-77-84

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1.

WHEREAS, Common Council has previously designated by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Division 6, Article II, Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana, of 1974, as amended and I.C. 6-1.1-12.1., to-wit:

The North 116.15 feet, more or less, of lot 32 original plat; the North 118.8 feet, more or less, of lot 268 Samuel C. Hanna's Addition; together with the unplatted space lying between and adjoining said lots 32 and 268;

Also lot 7, Parts of Lot 8, Lot 9, and fractional Lot 71 County Addition; together with the 10 feet vacated alley lying between said parts of Lot 9 and 71; together with portions of vacated alley or space lying South of Lots 7 and 8 in County Addition;

All additions aforesaid being additions to the Town (now City), Fort Wayne, Indiana and all land lying north of the North right-of-way line of the former New York, Chicago and St. Louis Railroad Company, now the Norfolk and Western Railway, said right-of-way being established by the Michael Baker Survey, Dated June, 1947;

said property more commonly known as the corner of Superior and Lafayette Streets, Fort Wayne, Indiana;

WHEREAS, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution;

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 5-3-2 and a public hearing has been conducted on said Resolution;

WHEREAS, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, the Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Resolution previously designating the above described property an "Economic Revitalization Area" is confirmed in all respects.

SECTION 2. That, the above described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and continue for one (1) year. Said designation shall terminate at the end of that one (1) year period.

SECTION 3. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. Giaquinta
Councilmember

APPROVED AS TO FORM
AND LEGALITY

Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Sis Quinta, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee Finance (and ~~the City Plan Commission for recommendation~~) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday, the 12th day of June, 1984, at 7:30 o'clock P.M.,E.S.

DATE: 5-22-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Stier, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BRADBURY	✓				
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT	✓				
STIER	✓				
TALARICO	✓				

DATE: 6-12-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. R-77-84 on the 12th day of June, 1984,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1984, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of June, 1984, at the hour of 4:00 o'clock P.M.,E.S.T.

Win Moses Jr.
WIN MOSES, JR., MAYOR

APPLICATION FOR DESIGNATION
AS AN ECONOMIC REVITALIZATION AREA
-REAL ESTATE TAX ABATEMENT-

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Fort Wayne Orthopaedics, P.C., or its assigns *(see below)

2. Owner(s) City of Fort Wayne, Department of Redevelopment

3. Address of Owner(s) City-County Building
One Main Street
Fort Wayne, Indiana 46802

4. Telephone Number of Owner(s) (219) 427-1127

5. Relationship of Applicant to Owner(s) if any None

6. Address of Applicant 2730 East State Boulevard
Fort Wayne, Indiana 46805

7. Telephone number of Applicant (219) 484-4042

8. Address of Property Seeking Designation Currently no post office address to Applicant's knowledge.

9. Legal Description of Property Proposed for Designation (may be attached) Attached as Exhibit "A"

10. Townwhip Wayne

11. Taxing District #91, Fort Wayne, Wayne Township

*Fort Wayne Orthopaedics, P.C. ("FWO") intends to enter into a contract for the purchase of the property from the Owner, which contract will be assigned by FWO to an Indiana general partnership to be formed by three or more of the present members of FWO. The new partnership will acquire title to the property and lease the property to FWO for its use as a

12. Current Zoning B3A

13. Variance Granted (if any) None

14. Current Use of Property

a. How is property presently used? Parking lot

b. What Structure(s) (if any) are on the property? None

b. What is the condition of this structure/these structures? N/A

15. Current Assessed Value of Real Estate $62,700.00

a. Land $56,500.00

b. Improvements $6,200.00

16. Amount of Total Property Taxes Owed During the Immediate Past Year

None

17. Description of Proposed Improvements to the Real Estate A medical office building to be used and occupied by Fort Wayne Orthopaedics, P.C., a professional corporation presently comprised of six orthopaedic surgeons. The building will contain approximately 15,700 square feet.

18. Development Time Frame

a. When will physical aspects of development or rehabilitation begin? Immediately upon completion of purchase of the property by the Applicant or its assigns from the present Owner, which is estimated to be not later than July 31, 1984.

b. When is completion expected? 12-14 months after construction begins.

19. Cost of Project (not including land costs) $1,200,000.00 (estimated minimum).

20. Permanent Jobs Resulting from Completed Project

a. How many permanent jobs will be employed at of in connection with the project after it is completed? Estimated minimum of 29 (excluding physicians), including at least 6 new jobs as a result of this project.

lation of this new manufacturing equipment?

b. What is the nature of those jobs? Nurses, X-ray technicians, office administrator, clerical and data processing personnel, physical therapists (new) and paramedical personnel (new).

c. Anticipated time frame for reaching employment level stated above?

Immediately upon project completion.

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None.

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? The property is located adjacent to a railroad elevation carrying substantial railroad freight traffic. The west portion of the property was at one time used as a waste oil dump, resulting in adverse subsurface conditions on that part of the property for building purposes.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? The Fort Wayne Redevelopment Commission has determined that the highest and best use of the land would be a medical office building. The designation will induce the Applicant to construct a building which will utilize presently under-utilized land, promote the stability of the area, provide a more attractive appearance for the area, and increase the availability of needed medical services in the community.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof. None to Applicant's knowledge.

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated? _____YES __X__NO

26. Financing on Project

What is the status of financing connected with this project?

The Fort Wayne City Council has passed an inducement resolution authorizing the issuance of Economic Development Bonds in an amount up to $2,500,000.00 to finance the acquisition of the land and the construction of the proposed improvements. Lincoln National Bank and Trust Company of Fort Wayne has expressed its intent to purchase such bonds in the event of their issuance upon terms agreeable to the Bank.

I hereby certify that the information and representation on this Application are true and complete.

Signature(s) of Owners	Date
FORT WAYNE ORTHOPAEDICS, P.C.	
By: Michael L McArdle	5/11/84 Date

Michael L. McArdle, M.D.
Treasurer
"Applicant"

Information Below to be filled in by Department of Economic Development:

Date Application Received: _____

Date Application Forwarded to Law Dept: _____

Date of Legal Notice Publication: _____

Date of Public Hearing: _____

Date of Building Permit: _____

Approved or Denied? Date: _____

Allocation Area: _____

EXHIBIT "A"

The North 116.15 feet, more or less, of lot 32 original plat; the North 118.8 feet, more or less, of lot 268 Samuel C. Hanna's Addition; together with the unplatted space lying between and adjoining said lots 32 and 268.

Also Lot 7; Parts of Lot 8, Lot 9, and fractional Lot 71 County Addition; together with the 10 feet vacated alley lying between said parts of Lot 9 and 71; together with portions of vacated alley or space lying South of Lots 7 and 8 in County Addition.

All additions aforesaid being additions to the Town (now City), Fort Wayne, Indiana and all land lying north of the North right-of-way line of the former New York, Chicago and St. Louis Railroad Company, now the Norfolk and Western Railway, said right-of-way being established by the Michael Baker Survey, Dated June 1947.

ROBERT C. MARSHALL
Vice President

219/423-6430

LINCOLN NATIONAL BANK

May 10, 1984

Fort Wayne Redevelopment Commission
Attn: Mr. Ronald Fletcher, Assistant Director
City County Building
1 Main Street
Fort Wayne, Indiana 46802

Dear Mr. Fletcher:

This letter is to advise you that we are the bank of account for Fort Wayne Orthepaedics, P.C. It is our understanding that they will be purchasing a tract of ground from the City of Fort Wayne at the corner of Superior and Lafayette Streets in Fort Wayne, Indiana. It is our further understanding that they intend to apply with the City of Fort Wayne for an Economic Development Bond issue in the amount of $1,500,000 to $2,000,000, with said funds to be used solely for the purpose of purchasing the said tract of land and constructing a new medical office facility for their private practices.

Please accept this letter as Lincoln National Bank's expression of interest in purchasing 100 percent of the Economic Development Bond issue, up to $2,000,000, of Fort Wayne Orthepaedics, P.C. Should you have any questions concerning this matter, please don't hesitate to contact me at 423-6367.

Sincerely,

Robert C. Marshall
Vice President

RCM:rt

cc: Mr. Tim Moser
Mr. David Scott

SHOAFF, PARKER & KEEGAN
ATTORNEYS AT LAW
2400 FORT WAYNE NATIONAL BANK BUILDING
FORT WAYNE, INDIANA 46802

7-1-19
749

12046

PAY TO THE ORDER OF THE SUN $50.00 DOLLARS

DATE 14/84

Fort Wayne Economic Development Commission

CHECK AMOUNT 50

SHOAFF, PARKER & KEEGAN

SAFEGUARD

FORT WAYNE NATIONAL BANK
FORT WAYNE, INDIANA 46802

⑈012046⑈ ⑆024980194⑆40⑈ 188 768 6⑈

No. 29 May 14 1984

Received from Shoaff, Parker & Keegan

Fifty and 00/100 Dollars

For Tax Abatement Application

$50.00 Tammy Haus

BILL NO. R-84-05-32

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN ~~XXXXXXXXX~~ DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1 (corner of Superior and Lafayette Streets -- Fort Wayne Orthopaedics)

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

MARK E. GiaQUINTA, CHAIRMAN — Mark E. GiaQuinta

JAMES S. STIER, VICE CHAIRMAN — James S. Stier

JANET G. BRADBURY — Janet G. Bradbury

THOMAS C. HENRY — Thomas C. Henry

DONALD J. SCHMIDT — Don J. Schmidt

CONCURRED IN 6-12-84
SANDRA E. KENNEDY, CITY CLERK

6688

Admn. Appr._____

DIGEST SHEET

R-84-05-32

TITLE OF ORDINANCE Declaratory Resolution

DEPARTMENT REQUESTING ORDINANCE Economic Development

SYNOPSIS OF ORDINANCE A Declaratory Resolution confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1. (corner of Superior and Lafayette Streets, Fort Wayne Orthopaedics)

EFFECT OF PASSAGE A building will be constructed which will utilize presently under-utilized land, promote the stability of the area, provide a more attractive appearance for the area, and increase the availability of needed medical services in the community.

EFFECT OF NON-PASSAGE Opposite of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) $1,200,000.00 (estimated minimum)

ASSIGNED TO COMMITTEE (PRESIDENT)_____

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL

(RESOLUTIONS NO. R-84-05-31 AND R-84-03-32)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, approved a Resolution on May 22, 1984 (date), designating property at corner of Superior and Lafayette Streets -- Fort Wayne Orthopaedics

an Economic Revitalization Area. A description of the affected area can be inspected in the County Assessor's Office.

Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, June 12, 1984, at 7:30 P.M., (date, time & place) Room 128, City-County Building, One Main Street, Fort Wayne, IN

If confirmed, said designation shall continue for one (1) year after confirmation.

All interested persons are invited to attend and be heard at the public hearing.

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

The City of Fort Wayne

May 25, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of May 29, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Declaratory Resolutions:
R-84-05-25 & R-84-05-26

R-84-05-27 & R-84-05-28

R-84-05-29 & R-84-05-30

R-84-05-31 & R-84-05-32

Please send us 5 copies of each of the Publisher's Affidavit regarding the above from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 4

Form Prescribed by State Board of Accounts

General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	5
Body	number of lines	23
Tail	number of lines	2
	Total number of lines in notice	30

COMPUTION OF CHARGES

30 lines, 1 columns wide equals 30 equivalent lines at .230¢ cents per line $ 6.90

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM $ 8.40

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 1

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date May 29, 19 84

Title CLERK

FORM #904

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
(RESOLUTIONS NO. R-84-05-31
AND R-84-03-32)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, epproved a Resolution on May 22, 1984, designating property et corner of Superior and Lafeyette Streets--Fort Wayne Orthopeedics, en Economic Revitalization Area. A description of the effected area cen be inspected in the County Assessor's Office.

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All interested persons are invited to ettend end be heard at the public heering.

Sandra E. Kennedy
City Clerk

5--29

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

5/29/84

Drusilla Roose

Subscribed and sworn to me before this 29th day of May 19 84

Anne M. Perkins
Notary Public

My commission expires November 29, 1985

Form Prescribed by State Board of Accounts

General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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I herehy certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date May 29, 19 84

Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary puhlic in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

5/29/84

Drusilla Roose

Subscribed and sworn to me before this 29th day of May 19 84

Anne M. Perkins
Notary Public

My commission expires November 29, 1985

NOTICE OF PUBLIC HEARING
FORT WAYNE
COMMON COUNCIL
(RESOLUTIONS NO. R-84-05-31 AND R-84-03-32)

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All interastad parsons ara invited to attend and be heard at the public hearing.

Sandra E. Kennady
City Clark

5--29